Suggestions on how to COMMERCIALIZE YOUR INVENTION

Dedicated To The Indomitable Inventive Genius That Has Furthered Human Happiness and Prosperity.

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How Can I Sell My Patent?

"How can I sell my patent" is the outstanding question in the minds of many inventors.

We do not buy or sell patents but confine our business exclusively to procuring and defending patents. Nor do we accept part interests in inventions. It is not advisable for a patent attorney to become a partner in business with any client, because complications are likely to develop, and these should be avoided. We are always glad, however, to give aid and advice to any client seeking to profit from his invention.

While we have had no experience in selling patents, we have heard from clients who have been successful in selling them, and for the benefit of many inquirers we submit a few hints which we hope may be useful.

First, apply for your patent. Do not submit your invention to possible purchasers unless you have acquired an official filing date by depositing your application in the Patent Office.

Our "Proof of Application" is a certificate, under the seal of a notary public, which is furnished by us as soon as your application is filed in the Patent Office. This contains a *true copy of the specification and drawing of your application* as filed and, when shown to manufacturers or others, will indicate exactly what is pending, and enable them to decide whether they would be interested. It also indicates that you have protected yourself to the extent of filing an application for patent and are in a position to defend your rights against other applicants for patents for the same invention. Therefore, it is not probable that those to whom the certificate is shown will try to interfere with you. This is a valuable service which originated with us and is free to all clients who file through our offices.

About Selling Limited Rights

We know inventors who have made money by selling farm, county, state, and shop rights, that is, the right to manufacture and sell their inventions within specified areas. If the owner of the patent does not wish to manufacture his invention himself, this is a good course to pursue. In estimating the value of a patent in different states and counties, a very common method is to take the population, wealth, etc., as guides.

We think it advisable to sell a town or shop right, even if the offer for it does not come up to the inventor's estimate of its value. The purchaser of such right may, by his energy and good judgment, advertise the invention and you may always hold territory in reserve. However, never sell or buy any part of an invention or patent without the execution of a carefully written contract drawn up by your own attorney. Loosely written or verbal contracts breed misunderstanding and often financial loss. If you wish we shall be glad to aid you in this respect for a reasonable fee.

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Deeds

We prepare all forms of assignments, license deeds, contracts, etc., dealing with patents, trade-marks, and copyrights and our charges for these services are very moderate. Every instrument affecting the title to a patent, trade-mark or copyright should be recorded in Washington and the fee required is included always in our charge for services rendered.

List of Manufacturers

The names and addresses of manufacturers can be obtained from directories of manufacturers which can be found in most every well-stocked public library. If one is not available to those of our clients who have placed business with us, we will furnish a limited list upon request and without cost.

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Our Exchange Service

Frequently we receive letters from manufacturers and others asking for information about inventions in which they might be interested. Without charges or commissions of any kind we refer these parties to those of our clients having inventions of the kinds wanted.

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Abstracts of Title

Before a patent right is bought the buyer should get an abstract of title from the Patent Office, or have the title examined by an expert. The fee for these examinations is usually $10 and we can in most instances send an abstract of title, certified by the Commissioner of Patents, for this amount.

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The Value of a Patent

Do not make the mistake of supposing that a patent is a fortune in itself. Success with a patent, like success with a farm or even a gold mine, depends on management.

We are not experts in commercial and industrial matters so do not ask us what your patent is worth.

The value of an invention can never be foretold. Therefore, we do not give opinions in regard to the value of inventions. We confine our opinions to questions we are competent to answer—patentability, scope, novelty, claims, etc. There is no standard for estimating the commercial value of a patent. No two are alike; no two can be handled alike; the market for no two is the same; and every new invention is necessarily an experiment and an unknown quantity in the commercial and industrial fields. Some things that have come to our office, which we thought valuable, have turned out to be valueless; while others, which appeared to us trivial, have proven, through judicious management, to be of value. The value of a patent frequently depends more on judgment and energy in managing its commercial possibilities than upon the invention itself. This is true of every kind of property.

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What Has Been Invented?

We are often requested by correspondents to send them catalogs in different lines of invention. The best way to find out what has been done in any class of invention is to have us send copies of some patents. If you will remit $5.00 we will procure printed copies of several patents illustrating and describing articles or machines like those in which you are interested.

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What Can Be Patented?

An inventor is entitled to a patent on every new and useful improvement he may make on a machine, article of manufacture, composition, or method (process). The United States Patent Office has

divided inventions into many classes in which improvements are being made. A few of these are as follows:

Aeronautics
Ammonia and Wood Distillation
Apparel
Arms, Projectiles, etc.
Artificial Body Members
Automobiles
Beds
Boats and Buoys
Clutches
Conveyors
Cutlery
Dairy Appliances, etc.
Dentistry
Earth Boring
Educational Devices
Electrical Apparatus
Elevators
Engines
Fences
Firearms
Fishing and Trapping
Furnaces
Games and Toys
Gates
Harrows
Harvesters
Heating
Hoisting
Kitchen Articles
Ladders
Laundry
Locks
Lubrication
Measuring Instruments
Metal Working
Mills
Music
Nut Locks
Photography
Plows
Presses
Pumps
Railways
Recorders
Refrigeration
Resilient Tires and Wheels
Seeders and Planters
Signals
Surgery
Tents, Umbrellas, etc.
Threshing
Tools
Undertaking
Vegetable Cutters
Washing Apparatus
Wire Fabrics and Working
Wood-turning

Please bear in mind that we are here to serve you in any way possible and we ask you to have no hesitation in submitting your problems to us. We are in Washington in close touch with the Patent Office and other Governmental Agencies. Thus we are in a position to give prompt service.

Cost of Filing an Application for a Simple Patent

1 Sheet of Drawing	*$10.00*
Government Filing Fee	*$30.00*
Attorney's Fee (including cost of preparation and prosecution before the principal examiner)	*$40.00*

By a simple invention is meant one which can be illustrated with one simple figure of drawing and which we estimate will require little prosecution.

Before incurring the expense of applying for a patent you should send us $5 with a sketch, model or photographs, and a description of your invention. We will then search among pertinent U. S. patents and let you know whether, in our opinion, a patent can be obtained.

When an application for patent is allowed, another fee of $30.00 must be paid to the Patent Office before the patent will issue.

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A Good Patent Helps You to Sell Your Invention

Let us assume you have made an invention. You want to sell it. You want to get as much money for it as you possibly can. The purchaser also wants to make money out of the invention or the manufacturing or sales rights you sell him. The truth of these statements is obvious, but many inventors fail to recognize the full significance a *good* patent brings to bear on their own possible profit and on the purchaser's.

For the purpose of clarification, let us define what we mean by a *good* patent. A good patent is one that gives the inventor broad monopoly rights. That is, it allows the inventor broad and varied claims that prevent other individuals from manufacturing or producing a close replica of his invention. A good patent depends not only on the invention itself *but* upon the *skill and interest of the patent attorney* in drawing up the claims and specifications and in following the case to a successful conclusion. All patents are not alike in the privileges and protection they grant inventors. The experience and responsibility of your patent attorney can be valuable assets to you in your endeavor to secure a *good* patent.

The reasons why you should get the best possible patent for your invention, if it is patentable, are that you are not only protected when you try to sell interests in your invention, but a good patent assures your prospective purchaser that his investment is protected. That is, after he contracts to pay you a certain amount, either in a lump sum or royalties, or both, he has a tangible guarantee that someone else is not going to jeopardize his interests by producing and selling the same thing.

As a matter of fact, many national corporations and experienced business executives cannot be interested in commercializing an invention with their money unless the invention is patented . . . and the broader the patent rights granted, the more likely are they to be seriously interested.

A good patent, therefore, not only gives you desirable protection, but enhances the value of your invention from the viewpoint of a possible purchaser.

Contacting Prospective Purchasers

Naturally, the best possible way to sell anything is by personal contact with an interested party. You have no doubt thought of various people you know or have heard of who might be interested in your invention, or in backing it.

For instance, if you had invented a new carburetor that gave increased efficiency and you know personally an important automobile dealer in your community, you might perhaps reach an attentive ear in the automotive world by having your dealer friend bring your invention to the notice of the executives in the automobile company whose automobiles he was successfully selling.

In other words, it is sometimes possible to get to the right man in a shorter time and gain his attention more effectively by having someone who knows him or who can readily reach him, carry your story to him.

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Writing to Manufacturers

Most large businesses are deluged daily with all sorts of ideas, complaints, suggestions . . . much of which has no constructive value. To save time and expense these letters are often handled in a routine way by minor executives. However, it is not at all impossible to gain the attention of even the largest corporations by writing to them, briefly explaining the merits of your invention and stating that it is patented, if it is patented.

But in writing to a manufacturer or any business man who might be possibly interested in investing his money in your invention, always take it for granted that he or the company is very busy . . . too busy to waste time going through a badly written or unnecessarily rambling and lengthy letter.

State your case simply, clearly and as *briefly* as possible. And be sure your letter is *typewritten*.

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A Simple Type of Letter

Let us suppose that you are the inventor of the new type of carburetor referred to previously. You decide to write a letter to an automobile manufacturer to try to get him interested in buying a part interest in your invention, or the right to manufacture it exclusively. Here is a sample letter, showing how your story could be told effectively and yet briefly:

1430 Camerill Road
Radmoor, Illinois
July 14th, 1940

Legal Department
DePage Motor Company
Detroit, Michigan

Gentlemen:

I have invented and have had patented a new type of carburetor, which by actual test on a 1939 model of your car raises the gas mileage from 15 miles to the gallon to 23 miles per gallon of gasoline.

On request I will send you a working drawing of my carburetor, together with a copy of the claims and specifications contained in my patent. If, after examination and possibly tests of my invention, you should be interested in it, I should be pleased to discuss my terms with you through my attorneys.

Very truly yours,
(*Signed*) James A. Buchanan

Discussion of the Letter

You will notice that this letter is addressed to the legal department of the automobile company. In most large and responsible companies in all lines of business, the legal department would be called upon to O. K. any contract with you for privileges in manufacturing and selling your invention. In the case of an individual inventor endeavoring to gain the attention of a responsible company, communications would be turned over to the legal department for consideration . . . for as we have stated previously, it is the policy of many companies not to enter into negotiations with an inventor unless his invention is patented.

In most large companies, the executives whose responsibility it would be to examine and pass on new inventions offered to the company, would do so only after they had made sure that the inventor was honest . . . was not offering something that did not belong to him. Thus it would be up to the legal department to establish whether or not the inventor had a legal right to that invention he claimed was his and was offering for sale.

By stating at the very beginning of the letter that the invention is patented, time and correspondence are saved. Then it is stated that a test was made . . . explained how and with what results.

It may not be possible for you to make tests with your invention, but wherever tests can be offered in support of your invention's workability or desirability, it is a good idea to make them and mention them in your letter. Naturally, a manufacturer will have his own tests to make in his

own plant before buying . . . but the mere fact that you have made definite tests of some sort is an indication of worth to a practical business man.

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Accurate Drawings are Necessary

In the second paragraph of this sample letter we offer to send working drawings of the new invention. Often a model may not be necessary. If the man or firm you are writing to is already engaged in the manufacture of articles similar to your invention, he will have no trouble in reading drawings. He will probably make his own model of your invention if he is seriously interested. But if it is desirable in further negotiations for you to furnish a model, one can then be made. It is not a good practice to ship a model with your *first communication,* although you may, if you wish, offer to furnish a model.

Please notice that we again bring up the all-important subject of the patent in the letter, answering a question any prospective purchaser is sure to ask . . . offering to furnish a copy of the *claims* and *specifications* contained in the patent. In other words you offer to show exactly how good the patent is from the standpoint of protection of your rights.

If your patent application is still pending we shall be glad to furnish, at a nominal cost, photostats made of your original drawings. Be sure that the drawings you submit to prospective purchasers are exact, clear drawings. We advise photostats of the drawings submitted in the patent application.

If the invention is patented, you can purchase printed copies direct from the Patent Office for ten cents.

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Summary of Sample Letter

This sample letter is not given as an invariable guide in writing to manufacturers or other business men. It is offered merely as a general guide . . . to depict the more important points or the points of practical interest to the prospective purchaser.

But there are two ideals this letter illustrates and which cannot be too strongly emphasized. They are: CLEARNESS AND BRIEFNESS.

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Trained Merchandising Advice

Unless you already have definite ways and means of selling your invention . . . unless you are sure you have good approaches, it is a good investment to consult someone who has had trained experience in merchandising through the media of newspapers and direct mail. In other words, consult a good advertising agency or agency man. You can no doubt find a list of advertising agencies in the yellow section of your telephone book, grouped under the heading "Advertising Business".

Good advertising agencies naturally have many contacts and clients in the business world . . . selling and advertising is their business. They can give you good advice.

Selling Your Invention to an Individual

Often it is possible to sell a part interest or the whole of your invention to an individual. Many persons with money are often on the lookout for new inventions. It is not impossible that you may reach such an individual through your friends or business acquaintances. Perhaps your banker, your doctor, or employer could be interested enough to recommend your invention to an interested party.

Another means of interesting individual business men is to advertise in the "Business Opportunities" columns in the classified sections of metropolitan newspapers having large circulations. The cost for a four or five line ad is nominal and you can reach a good field. In the wording and placing of such classified advertising an advertising agency can be of invaluable assistance, for they are accustomed to this work and many of them know through their own experience with other clients which newspapers in particular cities have the best "pulling" power for this type of advertising.

To repeat, a well-qualified advertising agency can help you to get the most for the money you spend in advertising for a financial backer. (The average cost for a five line ad in a "Business Opportunities" column is approximately $2.50).

If there is no agency in your vicinity, we should be glad to assist you to locate one.

Cash Sale or Royalty Agreement?

In general an inventor stands to reap more reward from his invention if he sells it for a lump sum plus a specified royalty. This has two advantages. One is that the manufacturer or the person who buys an interest in the invention is more likely to push the manufacture of the article rapidly, inasmuch as he has already invested actual cash. Secondly, the inventor has cash in hand and the prospect of prompt royalty returns.

However, an inventor may sell a part or the whole rights of his invention for an outright sum or only a royalty agreement.

Wherever a royalty agreement enters into the contract, and this is generally acknowledged to be fairer to the inventor, there should be a guarantee of a minimum number of sales per year or month. If this guarantee is not lived up to by the manufacturer, provision should be made for additional cash remuneration to the inventor or forfeiture of the contract. This is an important stipulation the inventor should insist upon wherever possible. It further protects his rights, as can be easily seen.

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Priority Invention Rights

In obtaining a patent it is often necessary that the inventor offer evidence that he is legally entitled to priority rights in his invention. To aid inventors in assemblying this pertinent evidence we offer our "Certification of Invention".

This is a certification to be signed, dated and witnessed by an inventor. It contains questions about the history of his invention and has pages for receiving sketches and a description of the invention. This certification is valuable because after it has been properly filled out, signed, dated and witnessed, it can be offered as evidence in support of your claims should some other person endeavor to prevent you from protecting your invention by claiming prior rights.

If your invention is not already patented and you do not have a copy of our "Certification of Invention", send for one at once. It is free.

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Conclusion

Just as important as a good invention is a *good* patent, to make the invention of real value to a prospective purchaser. And just as important to the inventor is a good contract that adequately protects his rights when he sells an interest in his invention. In both these proceedings your attorneys can be of great assistance to you.

We would, therefore, like to remind you that C. A. Snow & Co., Registered Patent Attorneys, offer you the experience and proven responsibility of over 62 years of successful practice. Since 1875 we have rendered expert service and counsel to tens of thousands of inventors. We have secured patents for our clients in every field of invention.

The home of C. A. Snow & Co. is the largest building in Washington occupied exclusively by one Patent Attorney firm. Every member of C. A. Snow & Co. who works on your case is a Registered Patent Attorney. This is important, for only

Registered Patent Attorneys may plead your case before the Patent Office. We offer you thorough, competent work. Our fees are standard.

More than 90% of our business has been conducted by correspondence. Our experience has proved that patents can be procured safely in this way, but if you think it advisable to come to Washington and explain your invention to us, you will be assured of a cordial and helpful reception at our offices.

We invite you to make our offices your headquarters and have your mail sent there whether or not you have patent business at hand when you are in Washington. We are always glad to meet our clients and we want them to know us.

C. A. SNOW & CO.

REGISTERED PATENT ATTORNEYS
SINCE 1875

SNOW BUILDING
710 8th St., N.W.
WASHINGTON, D. C.